

Crown Pastoral Land Tenure Review

Lease name: HUNTER HILLS

Lease number: PT 082

Analysis of Public Submissions

This document includes information on the public submissions received in response to an advertisement for submissions on the Preliminary Proposal. The report identifies if each issue raised is allowed or disallowed pursuant to the Crown Pastoral Land Act. If allowed the issue will be subject to further consultation with Department of Conservation, or other relevant party.

The report attached is released under the Official Information Act 1982.

July

10

ANALYSIS
OF
PUBLIC SUBMISSIONS

HUNTER HILLS



ANALYSIS OF PUBLIC SUBMISSIONS**Statement Pursuant To Sec 45(a)(iii) Crown Pastoral Land Act 1998****HUNTER HILLS TENURE REVIEW NO 195****Details of lease**

Lease name:	Hunter Hills pastoral lease
Location:	45 km north-east of Kurow.
Lessee:	Hunter Hills Station Limited

Public notice of preliminary proposal

Date advertised:	Saturday 24 th October 2009.
Newspapers advertised in:	
- The Press	Christchurch
- The Otago Daily Times	Dunedin
- The Timaru Herald	Timaru.
Closing date for submissions:	21 st December 2009.

Details of submissions received

Number received by closing date:	9
Number of late submissions received/accepted:	1
This submission was received on 22 nd December 2009. LINZ provided approval to include the submission for analysis on 22 nd December 2009.	
Cross-section of groups/individuals represented by submissions:	
Two submissions were received from private individuals, and one submission was received from a regional council. Apart from that, all submissions came from non government environmental and recreational groups.	
Number of late submissions refused/other:	Nil.

ANALYSIS OF SUBMISSIONS

Introduction

Each of the submissions received has been reviewed in order to identify the points raised and these have been numbered accordingly. Where submitters have made similar points, these have been given the same number.

The following analysis:

1. Summarises each of the points raised along with the recorded number (shown in the appended tables) of the submitter(s) making the point.
2. Discusses each point.
3. Recommends whether or not to **allow** the point for further consideration.
4. If the point is **allowed**, recommends whether to **accept** or **not accept** the point for further consideration.

The points raised have been analysed to assess whether they are matters that are validly-made, relevant to the tenure review and can be properly considered under the Crown Pastoral Land Act 1998 (CPLA). Where it is considered that they are the decision is to **allow** them. Further analysis is then undertaken as to whether to **accept** or **not accept** them.

Conversely where the matter raised is not a matter that is validly-made or relevant or can be properly considered under the CPLA, the decision is to **disallow**. The process stops at this point for those points disallowed.

The outcome of an **accept** decision will be that the point is considered further in formulation of the draft SP. To arrive at this decision, the point must be evaluated with respect to the following:

The objects and matters to be taken into account in the CPLA; and

Whether the point introduces new information or a perspective not previously considered; or

Where the point highlights issues previously considered but articulates reasons why the submitter prefers an alternative outcome under the CPLA, or

Is a statement of support for aspects of the Preliminary Proposal which can be considered by the Commissioner when formulating the designations for a Substantive Proposal.

How those accepted points have been considered will be the subject of a Report on Public Submissions which will be made available to the public. This will be done once the Commissioner of Crown Lands has considered all matters raised in the public submissions in formulating a Substantive Proposal.

Analysis

The submissions have been numbered in the order in which they were received and the points have been arranged so similar points are grouped together.

Appendix III provides a table of the points raised by the various submitters.

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
1	Statements of support for aspects of the proposal.	1, 2, 3, 4, 5, 6, 7	Allow	Accept

Submitter 1 stated that he agreed with the tenure review of Hunter Hills, without qualification.

Submitter 2 is very supportive of the proposal in general. The submitter fully supports the retention of the CA1 and CA2 land in Crown control for conservation because they consider this will enhance soil conservation values on what they consider to be erosion prone country, and they consider that areas CA1 and CA2 have limited potential for production. The submitter also supports the retention of areas CA1 and CA2 for the protection of indigenous biodiversity values on the land areas themselves and also considers this outcome will have benefits for water conservation, water quality and aquatic values both on the land concerned and downstream. The submitter also supports the proposed public access provision from the Hakataramea Valley Road to the Hunter Hills which CA1 enables.

Submitter 2 also supports the freehold disposal of the land indicated for this outcome, considering that this will make a strong sustainable farming unit. The submitter does have one further suggestion relating to the land proposed for freehold disposal, which is covered in point 2 below.

Submitter 3 makes a statement of broadly supporting the proposal, but with reservations relating to public access, considered elsewhere.

Submitters 4 and 5 fully support the retention by the Crown of area CA1, for the protection of a full altitudinal sequence, threatened land environments, and aquatic values contained in this area, as well as securing public access to the conservation area. Submitter 4 mentions the diversity of landforms and vegetation types, and submitter 5 mentions the invertebrate and aquatic values of the area, as well as the public access benefits. Submitter 4 argues that the removal of stock will benefit the native vegetation and aquatic environments. Submitters 4 and 5 also consider the easement concession "r-s" for water supply over CA1 to be acceptable.

Submitters 4 and 5 also support the retention of the CA2 area. Submission 4 covers the values here in more detail, mentioning the shrubland, tussockland, falcon habitat, threatened plant and animal species, dramatic gorge landscape, aquatic habitat, and the protection of an altitudinal sequence. Submitter 4 mentions that the farm access easement concession is acceptable.

Both submitters suggest some extension of the areas to be retained, and these suggestions are covered in points 5 and 7.

Submitter 4 also supports the provision of conservation management access across the proposed freehold, along the routes indicated in the proposal.

Submitter 5 indicates support for all views expressed in submission 4.

Submitter 6 considers that the proposed conservation areas CA1 and CA2 cover many of the important conservation sites mentioned in the Conservation Resources Report (CRR), but has several suggestions concerning public access, covered under points 4 and 9.

Submitter 7 supports the proposal in general, and in particular notes the public access that area CA1 will afford to the Hunter Hills, and the potential recreation use of the surrendered areas for tramping, recreational hunting, horse, and cycle riding. This submitter would just like to see improved public access as indicated under point 9.

Rationale for Allow or Disallow

These statements of support are validly made. Most submitters provided reasons for supporting aspects of the proposal, including the benefits the proposal will offer in relation to ecological sustainability, the protection of significant inherent values, public access, and the benefits to the farm operation that will result from the freeholding. The promotion of the management of the land in a way that is ecologically sustainable is indicated in section 24(a)(i) CPLA, the protection of significant inherent values is identified in section 24(b), the making easier of public access is indicated in section 24(c)(i), and freehold disposal is listed as an object in section 24(c)(ii). All these comments can therefore be considered under the CPLA and have therefore been allowed.

While submitters 1 and 3 support the proposal without any supporting reasoning, they have provided support for a proposal that has in itself been developed under the CPLA and they have not introduced any reasoning which could not be properly considered under the CPLA. These comments have therefore also been allowed. Overall, point 1 has therefore been allowed.

Rationale for Accept or Not Accept

These statements of support can be taken into account under the objects and matters to be taken into account under the CPLA, and statements of support for aspects of the Preliminary Proposal can be considered by the Commissioner when formulating the designations for a Substantive Proposal. The point is therefore accepted for further consideration.

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
2	A covenant should be created over the Andersons Stream gully.	2	Allow	Accept

Submitter 2 considers that there are valuable areas of shrubland in the incised Anderson Stream gully that should be protected by covenant.

Rationale for Allow or Disallow

This point is validly made and relates to the protection of significant inherent values on the review land by using a protective mechanism, which is identified as an objective of tenure review under section 24(b)(i) CPLA. The point has therefore been allowed.

Rationale for Accept or Not Accept

The point relates to the protection of significant inherent values by covenant, which is relevant under the objects and matters to be taken into account in the CPLA. The protection of this valley has been previously considered, but reasons are articulated by the submitter as to why the area should be protected, which is an alternative outcome. The point has therefore been accepted for further consideration.

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
3	The access suggested to CA1 does not appear to offer practical access for tramping daytrips to the Hunter Hills tops.	3	Disallow	N/A

Submitter 3 stated that the proposed access to CA1 is not practical for tramping daytrips to the Hunter Hills tops. No reason was provided as to why this access is not practical, and no alternative was suggested.

Rationale for Allow or Disallow

The point was validly made, however no reasons or arguments were provided to support their comment. More significantly, the current review limits consideration to the land within Hunter Hills pastoral lease, and the proposed access to CA1 is outside the lease. The point therefore is not a matter that can be considered under this tenure review under the CPLA, so the point cannot be allowed for consideration within the tenure review itself. However, the Department of Conservation does investigate external access to the review land, outside the tenure review process, and this analysis, and all submissions, will be forwarded to the Department of Conservation.

Rationale for Accept or Not Accept

N/A

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
4	Improved public access is sought to area CA2 from Moorland Settlement Road..	3, 4, 5, 6, 9	Disallow part (a). Allow part (b)	Accept part (b)

Various submitters criticize the proposal for not offering practical legal access to CA2 from Moorland Settlement Road (which becomes Hakataramea Downs Road), related to the potential public interest in the CA2 area, and/or enabling a round trip across the tops of the Hunter Hills.

Various concepts were discussed:

- (a) Access routes across land outside Hunter Hills pastoral lease.

Submitter 3 understands that a walkway was created along the boundary of Hakataramea Downs and Snowdon Stations, giving access to Anderson Stream, and submits that this should be explored further as a means of providing public access to CA2.

Submitter 4 suggests that possible existing marginal strips along Anderson, Two Mile Stream, and Wyatt Stream downstream from the lease land, should each be explored as possible public foot access. Submitter 5 also suggests the potential use of possible existing marginal strips on Anderson and Two Mile Streams. Submitter 6 also suggests the use of what they consider are existing marginal strips across the adjoining freehold, and favours the use of Two Mile Stream due to its connectivity to CA2.

Submitter 4 also suggests a possible public access route along a track on adjoining freehold between the road and the Hunter Hills lease (Shown at the bottom left of Figure 5, submission 4).

Submitter 9 also suggests that marginal strips should already exist on some of the streams passing across the land below the southern half of the lease. The submitter suggests public walking access up Scour, Anderson’s, and Two Mile Streams, to link with the land under review.

(b) Access routes across the land under review.

Submitter 4 also suggests that if no public access can be secured at this stage over the adjoining freehold below CA2, that at least an easement be established within the review land to provide a link, if access beyond the boundary becomes possible in future.

Submitter 4 suggests in particular that access should be provided across the lease to CA2 from the track they proposed for access outside the lease under point (a).

Submitter 5 supports the views of submitter 4.

Submitter 6 proposes public access easement segments over the track system on the review land on the south side of CA2, where the track passes across proposed freehold, enabling better pedestrian access between the lower part of CA2 and the upper proposed and existing conservation land. The submitter provides a map showing the suggested route.

Submitter 9 suggests that in association with potential access outside the review, the route proposed for management purposes inside the lease should allow for public walking access. The suggested public use of the proposed conservation management routes is discussed as a separate aspect in point 9.

Rationale for Allow or Disallow

This point is validly made, and provides suggestions for public access to CA2. However, the review does not include land outside the lease, so the concepts raised under 4(a) cannot be considered under the CPLA, and are therefore disallowed. However, issues raised under 4(b) contain suggestions for connecting public access easements within the review land, which are matters that can be considered under the CPLA, under section 24(c)(i). Therefore part 4(b) is allowed. It should be noted that the Department of Conservation does investigate external access to the review land, outside the tenure review process, and this analysis, and all submissions, will be forwarded to the Department of Conservation, which may assist them in that process.

Rationale for Accept or Not Accept

The possibility of connecting public access easements within the review land to any of the possible external access routes relates to the objects and matters to be taken into account in the CPLA. These concepts, covered in part 4(b), also contain new perspectives, or are at least backed up by reasons why they prefer particular alternative outcomes, and have therefore been accepted for further consideration within the tenure review.

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
5	Some upper parts of the proposed freehold should also be retained by the Crown.	4, 5	Allow	Accept

Submitter 4 suggests that the upper existing retirement “snow fence” which is generally on the lease boundary, is in poor repair, is not stock proof, and suffers from snow damage, and that it

would be better reinstated at a lower level, thereby adding further areas to the land to be retained by the Crown. They support the retention of these areas with the observation that low altitude snow tussock is found along these slopes, along with numerous native shrub species including coral broom (*Gradual Decline*), *Coprosma intertexta* (*Sparse*), and *Carmichaelia vexillata* (*Serious decline*). They also suggest that the proposed lower boundary would be better on landscape grounds, and on the basis of reduced future fencing maintenance.

On the above basis, the submitter suggests the addition of several specific additional areas to the land to be retained. The suggested boundaries are illustrated in the figures attached to the submission, and include:

- (1) The two blocks to the south of CA1, which they state have good snow tussock and grey shrubland areas and landscape values (Figures 1 to 3 in submission 4). For this area they suggest that failing Crown retention of the area it should be protected by covenant with only light seasonal sheep grazing.
- (2) The Anderson Stream area, which they note has woody shrubland values, and which the submitter considers has aesthetic values which would make the area desirable for the public (Figure 3 and 4 in submission 4).
- (3) The upper part of the Wyatt Stream catchments, bordering the southern end of CA2 .These areas receive little separate discussion in submission 4 but are shown in Figures 4 and 5 in that submission.

Submitter 4 also suggests the Crown retention of further land in Two Mile Stream catchment, which is discussed under point 7.

Submitter 5 supports the views of submitter 4, and suggests that for the two blocks south of CA1, failing the retention of such land, a protective covenant could be imposed.

Rationale for Allow or Disallow

This point relates to the protection of significant inherent values on the land under review by retention by the Crown or by covenant, which is listed as an object of tenure review under section 24(b)(i) and (ii) CPLA, and is therefore a matter that can be properly considered under the CPLA. The point has therefore been allowed.

Rationale for Accept or Not Accept

The point relates to the protection of significant inherent values on the review land, which is an object and matter that can be taken into account in the CPLA. The mechanisms for protection are also allowed under the CPLA. While these areas have already been considered, the submitters do articulate reasons why these areas should be protected. The point has therefore been accepted for further consideration.

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
6	The southern fence of CA1 should be aligned to provide practical and logical access up the spur.	4, 5	Allow	Accept

Submitter 4 suggests that care should be taken in the final alignment of the proposed southern boundary fence of CA1, (presumably assuming the current southern boundary of CA1 is retained) to ensure that there is practical and logical public access up the spur, because they think this spur may provide the best access to the tops. They refer to this spur as “Two Legged Spur” but the

topographic map clearly shows Two Legged Spur to be the next spur to the south from the proposed boundary of CA1.

Submitter 5 supports the above views.

Rationale for Allow or Disallow

This point relates to the appropriate provision of public access inside the review land, which is identified as an object of tenure review under section 24(c)(i) CPLA and is therefore a matter which can be considered under the CPLA. The point has therefore been allowed.

Rationale for Accept or Not Accept

This point relates to the appropriate securing of public access in the review land, which is an object and matter that can be taken into account under the CPLA. The submitters have also identified reasons for their stance, which represents an alternative outcome. The point has therefore been accepted for further consideration.

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
7	The proposed boundary of CA2 indicated as a new fenceline "U-V" should be adjusted to ensure that all the land in this branch of Two Mile Stream falls within CA2.	4, 5	Allow	Accept

On the assumption that the existing electric fence on the line "U-V" is to be upgraded, submitter 4 suggests that the whole of this branch of Two Mile Stream should be included in CA2. This addition to CA2 is suggested on the basis of landscape, insect habitat, and to protect the whole stream from stock. (Suggested boundary shown in Figure 4, submission 4).

Submitter 4 refers to the stream associated with fenceline U-V as the "true left" branch of Two Mile Stream. The submitter also calls for the extension of CA2 to include the entire true right branch of Two Mile Stream, however Figure 4 in their submission does not show any addition to CA2 further to the true right¹ relative to the branch discussed above. It is assumed that this reference refers to the next branch of Two Mile Stream to the south, in which case the comment is covered under point 5 above.

Submitter 5 supports the views expressed under submission 4.

Rationale for Allow or Disallow

The factors mentioned for the inclusion of the whole of the sub catchment with fenceline "U-V" relate to matters which may be significant inherent values. The protection of significant inherent values by Crown retention of the land is a matter that can be taken into account in the CPLA, under section 24(b)(ii). The matter has therefore been allowed.

Rationale for Accept or Not Accept

The reasons given for the retention of the land relate to the protection of significant inherent values, which is a matter that can be taken into account in the CPLA, and the submitters provide

¹ True left and true right referring to the relative position of streams when facing downslope.

reasons for this suggested change to the boundary, which is an alternative outcome. Therefore this point has been accepted for further consideration.

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
8	A covenant should be placed over the freehold area to protect shrub and tussock values.	4, 5	Allow	Accept

Submitter 4 suggests that a covenant should be placed over the proposed freehold area to limit grazing to sheep, and to limit stock numbers, to enable snow tussock recovery, prohibit burning, prevent cultivation of areas with a significant presence of native species, prevent the planting of trees other than naturally occurring native species, and prevent spraying or clearance of native shrub species, except for fertilizer induced lower statured matagouri, where not protecting desirable native species. They also suggest a Native Shrubland Management Plan should be prepared for the freehold area, and that the covenant should involve ongoing monitoring.

Submitter 5 supports the views of submitter 4.

Rationale for Allow or Disallow

The arguments raised relate to the protection of significant inherent values by covenant, which falls within the objectives of tenure review under section 24(b)(i) CPLA. The point is therefore a matter that can be considered under the CPLA and the point has therefore been allowed.

Rationale for Accept or Not Accept

The arguments raised relate to the protection of significant inherent values which is one object of the CPLA. In addition, the concept of a covenant over the remaining freehold has not been considered, and arguments are provided for such a covenant. Therefore the matter has been accepted for further consideration.

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
9	Public access should be enabled along the track system between CA1 and CA2, over land inside or adjoining the lease.	4, 5, 6, 7, 9	Allow (a). Disallow (b) and (c).	Accept (a)

(a) Access along tracks inside the lease.

Submitter 4 considers that there would be public interest in visiting the wild and scenic area of CA2, and that there should be public access across the proposed freehold, enabling access between CA1 and CA2 using the existing farm track, possibly with a lambing closure. The submitter considers that it would be unreasonable to expect the public to access CA2 only via the tops.

Submitter 5 supports the views of submitter 4. Submitter 5 states that accessing the CA2 area from the tops would be profoundly inconvenient, and is in favour of enabling public access along the route c-d-f-g-h This submitter does consider that the need for public access along this route would be lessened if other access was available to CA2.

Submitters 5 and 6 also suggest the route c-d-e should be open to the public. Submitter 6 favours this route over the proposed access inside CA1, suggesting the terrain above point e is more gentle than the spurs accessed through CA1.

Submitter 7 favours the provision of public access as well as conservation management access along each of the public access easements a-b, c-d-e, c-d-f, k-l, and m-n.

Submitter 9 suggests that a public walking access easement should be provided over the proposed access for management purposes route, but is non specific about which management access easements this should apply to, although the intention is that this will extend the public access beyond what they consider to be existing marginal strips from Hakataramea Downs Road along Scour and Andersons Stream, discussed under point 4.

(b) Access to point 'c' via tracks outside the lease .

Submitter 5 and 6 suggest using the legal road outside the lease to gain access to point 'c'. Submitter 6 also suggests that a short diversionary easement away from the legal road could be arranged near the Hunter Hills homestead, to ensure privacy.

In addition, implicit in submitter 4's suggestion of allowing public access along the tracks between CA1 and CA2, as listed in 9(a), is a requirement to use tracks outside the lease, since there is no track between CA1 and CA2 that stays within the lease.

(c) Submitter 9 would like to discuss the legal nature and content of the easements they propose above with the Tenure Review staff.

Rationale for Allow or Disallow

The concepts raised under point 9(a) relate to the provision of public access on the review land, which can be properly considered under the CPLA, under section 24(c)(i), and the mechanism of an easement is also enabled by the CPLA. Therefore the concepts covered under 9(a) have been allowed. However, discussions relating to access outside the review land, including an associated diversionary easement near the farmhouse, are outside the scope of the tenure review under the CPLA. Therefore issues raised under 9(b) are disallowed.

In relation to issue (c), a call for further discussions with Tenure Review staff is a matter that relates to the preparation of technical documents which lies outside the scope of the CPLA. The legal nature and content of easements is not directly related to the tenure review. LINZ should be contacted to discuss the legal nature and content of the easements.

Rationale for Accept or Not Accept

Part (a) is accepted, since the point relates to the provision of public access over review land, which is an object of the CPLA, and reasons for alternative outcomes are provided for allowing public access on the routes indicated.

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
10	The situation should be clarified with respect to the existence or expected existence of marginal strips on the land under review, implied by the gaps at streams in easements and easement concessions.	5	Allow	Accept

This submitter notes that the easement and easement concession gaps at Wyatt, Two Mile, and Anderson Streams has been described as relating to existing marginal strips. The submitter notes that if alternatively the intention in the proposal was that marginal strips will be created along these streams as a result of the tenure review, none would be created on Two Mile Stream, since this land is not proposed to be alienated. They consider there is a discrepancy between the stance in the proposal that marginal strips already exist, and the statement in the CRR indicating that there are no existing marginal strips. The submitter seeks that this matter should be clarified.

Rationale for Allow or Disallow

Tenure review under the CPLA is enabled over reviewable lease land under section 27 CPLA. It is implicit that the correct determination of the extent of the reviewable land is something that must be considered under the CPLA, and since the submitters concern relates to the current status of land, this point can therefore be considered under the CPLA. The point has therefore been allowed.

Rationale for Accept or Not Accept

Since the point relates to the existing status of land, it is a matter that can be taken into account in the CPLA, since it is dealing with the definition of the land under review. The submitter has identified a discrepancy between the CRR and the proposal with respect to the current existence of marginal strips, and by implication the extent of land under review. It is noted that the CRR is a DoC report, and DoC is the agency responsible for marginal strips. We were not aware of this discrepancy. To this extent the comment could be considered to introduce new information or a perspective not previously considered, so the point has been accepted for investigated in the next phase of the review.

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
11	Legal access should be provided or maintained to the appropriate areas, for recreational purposes.	8	Allow	Accept

Submitter 8 requests that legal access be provided, or if already provided be maintained, for recreational purposes to the appropriate areas. They also suggest that they have no great concerns about this area, noting that the owner of Hunter Hills has historically been generous in granting recreation access to hunters, and that it would be appropriate that people continue to notify the landowner when they intend to use routes across freehold.

This submitter does not identify any routes along which they want access, nor areas they want access to. However, they do identify an interest and make comments which may be of relevance in the further consideration of public access. Since no mention is made of land outside the lease, it is assumed their comments relate to the land under review.

Rationale for Allow or Disallow

This point is validly made and relates to public access, which is a matter that can be considered over land included in tenure review, under section 24(c)(i) CPLA. The point has therefore been allowed.

Rationale for Accept or Not Accept

This point relates to public access, which is a matter for consideration under the CPLA. While the point provides no detail as to access routes requested or areas of recreational interest it does identify a hunting interest in the land concerned. This provides a reason for requesting public

access, and in suggesting that it would be appropriate under access provisions that the public notify the farmer, it could also be considered to be a perspective not previously considered. Consequently the point has been accepted for further consideration.

Point	Summary of point raised	Submission numbers	Allow or disallow	Accept or not accept
12	The information provided is not sufficient to enable an informed assessment.	9	Disallow	N/A

Submitter 9 indicates that the information is insufficient to enable an informed assessment and to enable advice to be provided. In particular the submitter is concerned with the lack of information provided relating to marginal strips and the availability of access to the land under review.

Rationale for Allow or Disallow

Although this point relates to public access, it provides no support for, or objection to, anything in the proposal itself, nor does it propose any action that can be taken into account in the continuation of this review under the CPLA. Consequently the point has been disallowed as far as this review under the CPLA is concerned. However, LINZ may wish to consider the point raised by this submitter in the wider context of the tenure review programme.

Rationale for Accept or Not Accept

N/A

Summary and Conclusion

Overview of analysis:

Nine submissions were received. Submissions were analysed in the order in which they were received, and points were listed in the order in which they were encountered.

Point 1 covers all statements of specific support either for the entire proposal, or for parts of the proposal.

Suggested improvements to the proposal fall into two categories. Firstly, some submitters have sought greater protection of significant inherent values, either by extending the areas to be retained by the Crown (points 5 and 7), or by the use of protective covenants (points 2, 5, and 8). Secondly, some submitters underlined the importance of public access and/or sought improved public access (points 3,4,6,9 and 11).

There were some doubts expressed relating to the identification of existing or likely marginal strips, and concerns raised about a perceived lack of information relating to access from outside the review land (points 10 and 12).

Appendix III lists the points raised, grouped by the above categories.

Generic issues:

The generic issues identified were:

- A request for better public access to CA2 between Moorland Settlement Road and the lease boundary. A variety of options are suggested for consideration. This is technically outside of the tenure review process, but is a matter the Department of Conservation may wish to further investigate.
- A request that good public access should be enabled on the land under review. To some extent, the need for additional access across the review land was seen as depending on whether access to CA2 could be secured from outside the review land.
- Some submitters sought greater protection of significant inherent values, through an expansion of the areas for Crown retention, or the use of covenants on some of the land proposed to be freeholded.

Gaps identified in the proposal or tenure review process:

Apart from the above matters, a concern was expressed relating to a perceived lack of information in the material provided to submitters relating to public access across the land adjoining the Hunter Hills pastoral lease, particularly at the southern end. There was also some degree of confusion relating to the existence of marginal strips on the land under review.

Risks identified:

None identified apart from the issues mentioned above.

General trends in the submitters' comments:

The general trend in submitters comments was one of support for the proposal, but better public access was sought and, if anything, greater protection of significant inherent values.

List of submitters:

A list of submitters is included in Appendix II and a summary of the points raised by submitters is included in Appendix III.

I recommend approval of this analysis and recommendations



Bob Webster – Tenure Review Consultant

Date

KARYN MICHELLE LEE
PORTFOLIO MANAGER
CROWN PROPERTY MANAGEMENT
C/- LINZ, CHRISTCHURCH

Peer reviewed by

I recommend approval
KML
28/5/10



Louise Mincher – Consultant

Date



Approved/Declined

Mathew Clark (Manager Pastoral)
Land Information New Zealand
Under delegated authority of the
Commissioner of Crown Lands.

Commissioner of Crown Lands

Date

Appendices:

- I Copy of Public Notice
- II List of Submitters
- III Points Raised by Submitters
- IV Copy of Annotated Submissions

APPENDIX II

List of Submitters

Submitter Number	Date received²	Submitter	Representative	Address
1	16/11/09	Allan Evans		C/- Mandy Norton, 113 Domain Avenue TEMUKA
2	17/12/09	Environment Canterbury	Don Rule, Director, Resource Planning and Consents	Environment Canterbury, PO Box 345, CHRISTCHURCH
3	21/12/2009	North Otago Tramping and Mountaineering Club	John Chetwin, Secretary	PO Box 217, OAMARU, 9444
4	21/12/2009	South Canterbury Branch, Royal Forest and Bird Protection Society of New Zealand Inc.	Fraser Ross, Branch Field Officer (voluntary)	29a Nile St. TIMARU, 7910
5	21/12/2009	Federated Mountain Clubs of New Zealand (Inc), and Canterbury Aoraki Conservation Board	David Round	Federated Mountain Clubs of New Zealand (Inc), P.O. Box 1604, WELLINGTON. Canterbury Aoraki Conservation Board, C/- Brenda Preston, Department of Conservation, Private Bag 4715 CHRISTCHURCH
6	21/12/2009	David Henson		Flat 2, 32 Picton Avenue, CHRISTCHURCH 8011
7	21/12/2009	Council of Outdoor Recreation Associations of New Zealand Inc.	Hugh Barr, Secretary	P.O. Box 1876, WELLINGTON
8	21/12/2009	New Zealand Deerstalkers Association Incorporated	Alec McIver, National President, and C I H Forsyth, South Island Executive member	P.O. Box 6514, WELLINGTON
9	22/12/2009	New Zealand Walking Access Commission	Mark Neeson, Chief Executive	P.O. Box 12348, THORNDON 6144

² Note that the dates shown in the table represent the date each submission was first received. In many cases submissions were first received by email, followed by a hard copy. Consequently the dates shown in this table may not always match the date of receipt stamped on the submission.

APPENDIX III

Points Raised by Submitters

Point Raised	Number of submitters	Submitter number										Details of point raised
Support for the proposal												
1	7	1	2	3	4	5	6	7				Statements of support for aspects of the proposal.
Greater protection of significant inherent values												
2	1		2									A covenant should be created over the Andersons Stream gully.
5	2				4	5						Some upper parts of the proposed freehold should also be retained by the Crown.
7	2				4	5						The proposed boundary of CA2 indicated as a new fenceline "U-V" should be adjusted to ensure that all the land in this branch of Two Mile Stream falls within CA2.
8	2				4	5						A covenant should be placed over the freehold area to protect shrub and tussock values.
Improved public access												
3	1			3								The access suggested to CA1 does not appear to offer practical access for tramping daytrips to the Hunter Hills tops.
4	5			3	4	5	6				9	Improved public access is sought to area CA2 from Moorland Settlement Road.
6	2				4	5						The southern fence of CA1 should be aligned to provide practical and logical access up the spur.
9	5				4	5	6	7			9	Public access should be enabled along the track system between CA1 and CA2, over land inside or adjoining the lease.
11	1										8	Legal access should be provided or maintained to the appropriate areas, for recreational purposes.
Other matters												
10	1					5						The situation should be clarified with respect to the existence or expected existence of marginal strips on the land under review, implied by the gaps at streams in easements and easement concessions.
12	1										9	The information provided is not sufficient to enable an informed assessment.